

# SOCIAL ACTION

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*MAY 1951*

A GANDHIAN TRADE UNION

NOTES ON SOCIAL ENCYCLICALS

THE IMPACT OF THE J. O. C.

THE PREVENTIVE DETENTION BILL

BOOK NOTES AND REVIEWS

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INDIAN INSTITUTE OF SOCIAL ORDER



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## *The Ahmedabad Textile Labour Association*

Trade Unions in India have had a chequered career. Stability over the years has never been their strong point. The seeds of dissension have invariably been sown from within and without with bitter fruit. In this respect, however, the record of the Textile Labour Association of Ahmedabad is an exception. It owes its strength and stability to the man who fostered and achieved Indian independence within the short space of thirty years. Gandhiji's name will always be linked with the T. L. A., because it was he who encouraged the workers to hold out in the strike of 1923. Till his death he was a member of the Advisory Committee of the Association.

The Association is a federation of several craft-unions. Its most notable success in the field of labour-management relations has been the maintenance of industrial peace

since 1930, by means of its policy of co-operation with the mill-owners and its system of joint consultation and arbitration for the settlement of labour and industrial disputes. Its welfare work, both social and economic, deserves to be better known. These favourable results, the T. L. A. affirms, have been due to the inspiration and guidance of Mahatma Gandhi and the application of his moral principles to the world of business.

### *The Objects of the Association*

The Constitution of the T. L. A. lays down that "the means to be adopted for the furtherance of the objects of the Association shall be always based on truth and non-violence". What are these objects? Among those that merit our particular attention are the following :

3. To foster the spirit of solidarity, service, brotherhood and co-operation among the workers.
4. To raise the status and improve the conditions of life through internal effort.
5. To develop in the workers a high sense of responsibility in the discharge of their duty to the industry.
6. To obtain and maintain a fair and adequate scale of wages, and reasonable hours of work...
7. To secure the redress of grievances of members...to secure as far as possible a settlement of disputes between the employers and employees by mutual consultation, and on failure, by reference to arbitration, so as to avert avoidable stoppage of work.
9. To ensure the enforcement of all legislative enactments for the protection of labour.

Nos 3, 4, & 5 reflect Gandhiji's ideas on self-improvement and brotherliness displayed in service of the neighbour. No. 7 is obviously based on his principle of non-violence and co-operation to the furthest limit. But unfortunately the last object mentioned in the Constitution seems to be out of joint with the rest. It runs as follows :

11. And lastly, in due course to secure nationalisation of the Textile Industry.

This last clause so tentatively worded is at variance with Gandhian economic principles. Bapuji always preferred private ownership to public ownership, especially if the former could be extended as widely as possible for he realised that it is ownership alone that guarantees a man's freedom. And although nationalisation of 'key industries and public utilities' are morally defensible, and may indeed at times be necessary, nationalisation of the textile industry, especially in the present economic state of the country, might raise more problems than it solves. The general principle that government ownership and management of industry is the panacea for all our industrial ills is patently absurd, as experience has proved time and again.

*The Objects Realised in Practice*

The T. L. A. has to its credit consistently striven after and realised many of its objects. The workers are proud of the T. L. A. and the magnificent three-storied building they have erected in the heart of Ahmedabad to lodge the various departments of the Association and to provide themselves with a meeting-hall is symbolic proof of their solidarity, co-operation and the confidence they repose in their leaders.

The workers' salary taken as a whole has been considerably raised. The dearness allowance paid to mill workers in Ahmedabad is calculated by the T. L. A. on the basis of the Cost of Living Index figures for the City. During the month of December, 1950, the dearness allowance paid to each worker was Rs. 65. Compared with the other towns and districts of Gujarat and for that matter with many cities in India, Ahmedabad pays its textile workers a much higher D. A. It is T. L. A. pressure that is mainly responsible for the dearness allowance being pegged so high.

*Basic Salary*

The basic salary however is still low. The lowest paid worker draws a basic salary of Rs. 30 a month. If to this

we add the D. A. of Rs 65, his monthly income works out at Rs. 95. Most workers drawing this salary find it impossible for them to bring up a family on such a wage. If a worker can get his wife or his children to work in the factory, then their combined wages more than suffice. But this should be the exception rather than the rule. A man should receive a wage adequate enough to feed and clothe himself and his family, and also to enable him to properly educate his children. These are the fundamental rights of every male adult, and it is the duty of the employer to make provision for such expenditure in his wages bill.

In the long run, it is the basic wage that matters. The D. A. varies with the Cost of Living Index figure, and is not paid in time of sickness or accident. Nor is it included in the annual bonus. It is an allowance that owes its origin to the scarcity conditions created by the last war. The mill owners might have stopped paying the D. A. after the war, but for the opposition from T. L. A. If only the D. A. could be assured to workers as an integral part of their salary, that management may never repudiate !

### *Finance*

No Union can get along without money. The minimum rate of subscription for the T. L. A. members is As 8 a month. This amount is collected by a thoroughly authenticated representative of the Association, who is responsible also for the subscription thus collected. The collectors of subscription receive "duplicate receipt books showing the amount of subscription and bearing book and leaf numbers on each leaf and also the stamp of the Association." Immediately on payment of the full subscription, the collector hands over a receipt to the subscribing member. He then deposits in the office of the Association the subscription he has collected along with the books of counterfoils. He is given a stamped receipt for the total amount paid. The counterfoils are carefully preserved in the office of the Association. Thus at every step in the collection of the subscriptions, a safeguard is introduced and a check established to counter all

misuse of funds. Such precautionary measures involve the employment of a large staff. But this expenditure is easily turned into a psychological profit.

### *Administration of Funds*

As important as collection is the administration of funds. How are the funds to be utilised? And among the various objects on which they might profitably be spent, which of these should claim top-priority? These important decisions are made by the Representative Board and the competent committees subject to the control of the Representative Board. The Representative Board is made up of worker-members duly elected by the various Unions. Each Union has its own Board of Representatives; and when these representatives meet together in a single assembly, they form a Joint Representative Board. This Board is vested with authority to use the funds collected and is also responsible for such use to the members of the Association.

### *Application of Funds*

The objects to which the funds are to be devoted are mentioned in the Constitution of the T. L. A. First comes the payment of the staff of the T. L. A. office; gratuitous work is not asked of them for the sound reason that their work is normally equivalent to a full time clerical job. The payment of a salary goes to increase their sense of responsibility.

A percentage of the funds is set aside for the provision of legal aid to the workers. Even where relations between employers and employees are excellent, situations may arise that require legal clarification, or are not amenable to conciliation by grievance machinery outside the law-courts. These cases have to be fought out either in the Labour or the Industrial Court. The T. L. A. has its own legal adviser. In the year 1949-50, the T. L. A. filed 520 applications in the 2 Labour Courts in Ahmedabad. A decision was given by the Courts in 474 cases. Of these 12 cases were dismissed, 51 were withdrawn, 308 were compromised, and 103 were

successful. This is an excellent record for an Indian Trade Union. Much of the success is due to the hard work of the Legal section of the Complaint Department of the T. L. A. and Government's favourable attitude towards Labour.

### *Social Welfare.*

The T. L. A. spends a large proportion of its funds on the social uplift of its members most of whom are poor and illiterate. When the British were here, the T. L. A. conducted its own primary schools, but on the declaration of independence, all these schools were handed over to the Municipal Corporation, among whose councillors are 22 T. L. A. men. In case of need, the Association starts new schools, and when they are able to stand on their own feet, hands them over to the Municipality. The T. L. A. also conducts hostels for girls and college students, and has a number of scholarships amounting to Rs. 6000 for workers' children who are studying in High Schools. The Association owns a full fledged Allopathic Dispensary, and Maternity Home. During the year 1949-50, 761 women took advantage of the Maternity Home, while the total cases of out-door patients treated at the dispensary during the same year numbered 83003. The T. L. A. also runs some 75 libraries and reading rooms for the workers, and 6 gymnasiums have been fitted out for them.

### *Trade Benefits*

In the earlier days of the Association, Victimization Benefits used to be paid, but this is not so necessary now, since the Association can get the victims reinstated, if need be, by legal methods. But the T. L. A. has introduced a system of Mutual Benefit among its members. All cases that fall under the Workmen's Compensation Act are taken up by the T. L. A. and a certain sum is apportioned to needy and disabled workmen.

### *Co-operative Movement.*

The housing problem is as acute for the workers in Ahmedabad as it is in every large industrial city in India.



The T. L. A. has endeavoured to cope with the problem. The Association has opened a Co-operative Bank. This is a recent venture and was started only in 1948. But during the short period of its existence, the Bank has enrolled over 17000 shareholders, and has a share capital of over Rs. 3 lakhs. It has also opened out a Savings Account, receives fixed deposits, and issues cash certificates. The main work of the Bank so far has been to advance loans to its members at the rate of 6% interest. Nearly Rs. 11½ lakhs have been loaned out to over 3400 borrowers. The loan is paid back in regular instalments, and the Association points out that "there have been few cases, where employers have been requested to deduct the dues of the Bank directly from the wages of the workers." The Directors of the Bank are elected from the rank and file workers. They are advised and guided by the experienced officials of the Central Committee.

The Bank also undertakes to insure the lives of those members who take loans from the bank. Thus a sort of compulsory savings habit is inculcated into the minds of the workers most of whom are wont to fritter away the good salaries they now earn in wasteful expenditure. As regards Housing Schemes, the Bank is ready to extend a partial loan to workers who can invest their own money for the price of land and  $\frac{1}{4}$  of the building cost.

### *Complaints and Disputes.*

This is the most important department of the T. L. A. "If any workman has a grievance in connection with any matter related to his work in the mills, he may by himself or through a representative record his complaint at the office of the Association." Once the complaint is recorded, the Association sends one of its inspectors to investigate into the truth and the circumstances of the complaint. Normally most of the complaints relating to individual workers are cared for by the Shop-Stewards of the respective Unions. These Union officials are expected to approach the departmental foremen, and settle the matter between themselves. But if the matter cannot be settled at that level, or if the

complaint relates to a large number of workmen or to several mills, it will be dealt with at a higher level. The Secretary of the Central Executive Committee might approach the management of the mill in question, or even the Mill Owners Association. But if even then no settlement can be amicably arranged, recourse is had to the Labour Court.

The grievance machinery of the T. L. A. is an elaborate one. And the Association makes it clear that it prefers conciliation and compromise on the spot to long-drawn-out cases in Court. Over 24000 complaints were dealt with during the year 1949-50. To cope with this enormous volume of dispute, the Association has divided the mills of Ahmedabad into five sections. At the head of each section, is the Complaint Officer, under whom are the Inspectors and Supervisors specially trained for their jobs. These men are former mill workers, who have transferred their services to the Association and are paid by it.

Obviously the work of this department is heavy. Many of the complaints however are of a minor nature and could be settled by the Shop Stewards in charge. This would save the Complaint Officer and his staff much of their time and energy. But it is found that most of the Shop Stewards lack the necessary training to argue the case with the foremen. They immediately appeal to the Complaint Department for help.

It might be expected that the T. L. A. should side with the worker whether he is right or not. At least in theory this is not so because the Constitution clearly states :

"The Central Executive Committee of the Association may reject a complaint on anyone of the following grounds.

- (a) That the complainant has not referred the complaint to the mill authorities in the first instance.
- (b) That the complainant has prejudiced his case by unauthorised action of his own.
- (c) That the complainant is not a member of the Association, or though a member, has not paid his subscription for the previous hapta.

- (d) That the complaint appears to be trivial, unreasonable or false."

Personal inspection of the complaint serves to verify whether the complaint may not be rejected if it falls into any one of the above categories.

### *Political Action*

The T. L. A. has been accused of sedulously avoiding politics. Most of its activity has been reserved to the economic and social fields. It is only of late under pressure of government legislation, that a fund for fostering the political activity of the Association has been initiated. However, though the T. L. A. has not been actively political, the influence of Mahatma Gandhi and its bourgeois leaders have always identified it with the Congress. As long as India was subject to the British, landlords and peasants, employers and workmen, were all united under a single vast complex organisation, called the Indian National Congress. Opposing ideologies were reconciled in the common desire for freedom and independence. But now that India is already in the fourth year of her independence, and the Congress splitting up into divergent parties, the political affiliations of the T. L. A., so long apparently dormant, are being keenly scrutinised both by its members and opponents. The fact is that there has been an appreciable decrease in T. L. A. membership. Two years ago it had over a lakh of members; now it has some 80,000. The decrease is attributed by T. L. A. top-men to the closure of several mills, and on grounds of preference of quality over quantity in the choice of members. This may be partially true, but what the T. L. A. loses, the Socialists and the Communists gain. Such losses are indirectly strengthening their opponents.

### *T. L. A. Policy*

The T. L. A. policy is based on Gandhiji's fundamental principles of truth and non-violence. This is the impelling motive why T. L. A. avoids open conflict with the employers

as far as possible, and even during a strike, carefully refrains from violence. As long as Gandhiji was alive, he could easily obtain favourable terms on behalf of labour from the mill owners of Ahmedabad. His personal ascendancy over them was so great that they could refuse him nothing. His scrupulous honesty was respected both by the mill owners and the workmen. This made him an ideal mediator between the two. But his death has caused a wide fissure in the field of labour-management relations in Gujerat. The T. L. A. can never more hope to possess a leader of his calibre and outstanding personality. Gandhiji however always regarded the rich as trustees of the welfare of the poor. This attitude towards ownership of wealth is directly opposed to the Socialist concept of private property. For the Socialist private property is the source from which stems the economic ills of modern society. The T. L. A. is verging towards this prevailing line of thought when it views nationalisation of the Textile Industry with favour. But in doing so, can the Association claim loyalty to the Mahatma's principles ?

### *Favouring the Employer*

In the past, the T. L. A. was accused of being management's agent in disguise. In point of fact, the T. L. A. is the 'recognised' Union in all the mills in Ahmedabad, and the management transact most of their deals with labour, through the T. L. A. They have good reason to do so, since the T. L. A. has the largest following in most of the mills.

### *Critical Period*

But the years to come will be a critical period for the T. L. A. So far the Association has concentrated its efforts on economic and social uplift, and kept its political activities in the background. But the fact that it was essentially Congress at heart and favoured by Gandhiji gained it the goodwill of the mass of industrial workers in Gujerat. Its social and economic policy was deeply appreciated. But today its Congress affiliation makes it suspect both in the eyes of the

workmen and of their employers. This is becoming evident especially in the recent attitude of mill management towards the Association. The mill owners are becoming more and more intransigent to its demands. Some of them have closed down their second shifts; many their third shifts, on the alleged plea of yarn scarcity. But the growing unemployment creates uneasiness and dissatisfaction with the Association, which is powerless to help the worker in the present crisis. Further the mills have also adopted a policy of delaying the payment of the annual bonus by appealing to the courts. Legal processes are slow; they involve trouble and expense, and take precious time. Such legal haggling makes the workman impatient, especially when the long-awaited cash bonus does not come up to his expectations. In the meantime the prestige of the T. L. A. has been damaged, and the younger workers more readily listen to the siren voices of Socialist and Communist propaganda denouncing the employers, and demanding either a strike or nationalising of the Textile Industry.

### *The Leaders of the T. L. A*

This pen picture of the T. L. A. would not be complete without a few words on its leaders. The guiding spirits of the T. L. A. are not workers, or men who have risen from the rank and file, but highly educated men. They are passionately wedded to the cause of social uplift of the industrial population of Gujerat. One can only admire their selfless lives of service bestowed on the poor and downtrodden of our modern civilised communities. Their inspiration is the heroic example of Gandhiji, who did so much for India's slaving millions. But a union or even a federation of Unions must needs have leaders from among the workmen themselves. Experiments in Trade Unionism both in Europe and America bear out the truth of this contention. Psychologically there is a gap between the bourgeois and the worker's mentality, which no amount of book knowledge or social interest can bridge. It is only a worker who can understand, sympathise and enthuse a worker. The T. L. A.

authorities are aware of the discrepancy. It is their duty to the Association and to the workmen to train leaders from the Labour milieu as soon as possible. But so far no signs of such a policy can be discerned.

### *Conclusion*

The T. L. A. is worth the close attention of every social worker, Catholic and non-Catholic. It is an inspiring and suggestive example of what a Trade Union can be made to do in this country, with its peculiar traditions and social system. The Association's economic and welfare programme deserves study and imitation. And we must not lose sight of the guiding principles to which it owes much of its success. Selfless service in the interest of the workers by their leaders; honesty on the part of Trade Union officials and workers alike, mutual sympathy and understanding among workers themselves; — all these are necessary basic presumptions in the erection of a strong Union. Finally the Gandhian notion of harmonious co-operation between capital and Labour needs emphatic assertion today in the face of Socialistic and Communistic dogmas on Class Warfare. The inevitableness of class hatred and struggle is one of those Marxian myths that have captured popular imagination. It is true that the Capitalist, especially in Gujerat, will grudge the workman even an extra pie; he will do all he can to selfishly cling to the large profits he makes by exploiting the worker and the consumer. The worker can and should in such circumstances organise and fight for his just share by using the most effective weapon he possesses — the strike. It is the duty of the state to see that the worker is paid a just wage and the consumer charged a fair price for the goods he buys. But the situation is not going to be remedied by the destruction of the employer. As Leo XIII says in his 'Rerum Novarum': "Just as the symmetry of the human body is the result of the disposition of the members of the body, so in a state it is ordained by nature, that these two classes (Capital and Labour) should exist in harmonious agreement, and should, as it were, fit into one an-

other, so as to maintain the equilibrium of the body politic. Each requires the other; Capital cannot do without Labour, nor Labour without Capital. Mutual agreement results in pleasantness and good order, perpetual conflict necessarily produces confusion and outrage." It is impossible to develop the Pope's entire argument here for lack of space. The Encyclical itself, if read with proper care and diligence, will prove most illuminating on the point.

A. Fonseca

## Civil Society & the Common Good

*"Civil society established for the common welfare, should not only safeguard the well-being of the community, but have also at heart the interests of its individual members"*

Leo XIII. *Immortale Dei*

It is a big world, about which, at our peril, we have to find our way. For the society in which man finds himself, and in which he is destined to pass his life, represents a complexity of conditions and circumstances which may help or hinder the useful development of the individual. Human society, using the term in its widest sense, is the natural outcome of man's social instinct. Max Scheler justly remarks that it is the specific character of man to be moved by the consciousness of the "WE," and a superficial observation reveals that the gregarious or herd instinct is deeply rooted in human nature. This is the urge that causes man to seek his fellows, build his clubs, dancing halls and cinemas, make roads and operate railways, construct ocean liners and use his creative powers to enable him to speak, across land and sea, to his far distant neighbours. The herd instinct, how-



ever, is not the only impulse in man, and the understanding of human activity is not helped by supposing that specific impulses are productive of specific social facts. Man is, in fact, a bundle of impulses which act together in the human personality. He will live with his fellows not only to find companionship, but also to enjoy protection and final service ; he will build his clubs moved by the instinct of social life not unmixed with that of mercenary gain ; to his neighbours across the seas he will send his ships as symbols of peace and good-will not unmixed with a desire of new conquests. In short, social facts are not referable to distinct impulses or motives. Karl Marx attempted to specify definite impulses as the cause of particular social events and forged a man very like the "homo economicus" — a concept of the classical economists.

Happily man is not only a creature of impulse but also a possessor of reason, and his supra-individual life and the harmony of society are only possible when reason guides human action. In the domain of Nature, in the mineral, animal and brute creation, order is established and the well-being of the whole is secured in virtue of a finality within each. That wood floats, that plants thrive in air and sunshine, that animals seek their prey and reproduce their kind, all these are facts of Nature, imposed by GOD and inevitable. In human society is it otherwise, man has intellect and free-will, he may freely choose to establish in society that harmony and order depicted in Nature and willed by GOD, or he may choose to scatter in chaos the resources of Nature and the powers of society. Man can reflect upon his activity. He can relate himself to his material environment and thus provide for his own necessities ; he can relate himself to his fellows and thus fulfil his social functions through mutual help and co-operation. The common good, that is to say, the moral and material welfare of every individual, depends on man's co-operation. The content of man's life is most firmly set in the background of civil society, and a necessary condition of his social life is that what man attains should in the long run benefit society. "Men live in civil society"



says Leo XIII "not only for their own good but also for the good of all; some are too poor to contribute their share to the common stock; those, therefore, who can should contribute more generously" (Graves De Communi).

The welfare of the individual is necessarily linked up with the welfare of the whole community, and through a conscious seeking of his own good, man can further the moral and material well-being of all, that is, the common good. An individual who sees in wealth but a help to self-development and a means for the acquisition of his supernatural destiny will be led to a choice of such methods in his quest for temporal goods, as will not deny to others the possibility of self-development. The industrious worker who, using the centuries of experiment and observation that society places at his disposal, perfects a technique that affords man more leisure, or discovers a cure that relieves physical suffering, not only enriches his own personality but gives his fellows something more than mere material wealth. Indeed, over a long period the good of the individual cannot usefully be abstracted from the good of the community, and the value of reason consists precisely in that it makes possible the well-being of the whole. "Though nature commands all" writes Leo XIII "to contribute to the public peace and prosperity, still the amount, manner and kind of contribution is determined not by nature, but by wisdom" (*Libertas Praestantissimum*). Obviously, the well-being of the individual will contribute towards the common welfare only when the actions of men are ruled by other motives than those of pure competition of private and selfish interests. In a society built on the principle of the survival of the fittest the one-talent members are a burden to social progress: but a society that calls forth the best in each also makes human life rich, diversified and animating.

The implications of this concept of the individual and common well-being should be clear. Man has certain rights necessary to his personal welfare, he has claims upon other people; he needs their help and companionship. He has the

right to possess certain goods, to act in a certain manner, and to demand certain dues. Without adequate security and well-being he cannot be an efficient servant of the community. On the other hand, society has certain claims on the individual. As a member of the community man has certain social functions and duties to perform ; his individual activity must be of such a nature that it does not harm the common good. The individual in his social status must contribute to the realisation of the moral and material welfare of his fellows whether his action be necessitated by the natural or positive law. Thus, the virtue of justice imposed on man in virtue of his rational nature has immense social value. Again, it may at times be incumbent upon the individual to subordinate his self-interest to the well-being of the community, and in fact, in social life there is no such thing as absolute freedom. "It is true indeed" says Pius XI "that a just freedom of action should be left to individual citizens and families ; but this principle is only valid, as long as the common good is secure, and no injustice is entailed" (Quadr. Anno par : 25). Thus, an anti-social exercise of the right of private ownership must be avoided ; economic security which furthers the well-being of the individual and the community must be secured through adequate wages ; the privileges of the few must give way before the rights of all. Such are the necessary conditions of social life ; such the demands of social justice.

While the demands of social justice must be met by every individual, the right and power to express and maintain the conditions necessary for the moral and material well-being of the community falls within the office of the public authority. "No society" says Leo XIII "can hold together unless some one be over all, directing all to strive earnestly for the common good" (Immortale Dei). The conflict of individual egoisms must be merged into common interests, to the end that "divine and human things are equitably shared ; the rights of citizens assured to them, and fenced round by divine, by natural and human law" (Leo XIII. Op. cit.), and thus the co-operation of all enlisted for the common good.

Moreover, as society is composed of a diversity of human beings the needs of all are not identical, nor are the conditions of self-development the same; some have been less endowed by nature, others have been less fortunate in the acquisition of temporal blessings, and in order that these also may contribute their best to the common welfare, "when there is question of defending the rights of individuals" says Leo XIII "the poor and badly off have a claim to especial consideration" (*Rerum Novarum*). In terms of Catholic sociology, the chief concern of the statutes of the public authority must be the common welfare, for "Law" says Leo XIII "is of its very essence a mandate of right reason, proclaimed by a properly constituted authority, for the common good" (*Sapientiae Christianae*).

It is however, a matter of history that a legal or political assurance of equal opportunities for all in the share of the common good, such as is expressed by the 'One man one vote' formula is idealistic. Liberal democracy has failed to equate political and economic freedom. Certainly, as members of the State and in their political status all men are equal and free. But man's life is lived in his social environment and in his relationship with his fellows, and in these circumstances the enjoyment of the common good or chances of equal opportunities of self-development are often hindered, due to poverty and the conditions under which the individual earns his livelihood. On the practical side, therefore, the effects of equal suffrage the symbol of equal opportunities are conditioned by the business and economic organisation of the community. Now, in an economic structure wherein men use a moral code fashioned to suit their own desires, and are moreover, legally free, the result is obvious. Liberal economics has forged a society in which few have too much and many too little. Such an organisation as a means for the realisation of the common good is far from consistent with the teaching of Catholic social thought. "It violates right order" says the present Pontiff "whenever capital employs the workers or the proletarian with a view and on such terms as to direct business and economic activity entirely at

its own arbitrary will and to its own advantage, without any regard to the human dignity of the worker and the social character of the economic regime, social justice and the common good" (Quadr. Anno par : 101). It is not surprising, therefore that when there is a danger of "despotic economic domination" — an anti-social use of private ownership — the supreme Pontiff teaches, that "Provided that the natural and divine law be observed, the public authority, in view of the true necessities of the common welfare, may specify more accurately what is licit and what is illicit for property-owners in the use of their possessions" (Op. cit. par : 49).

Catholic sociology does not advocate any specific form of public authority or economic organisation, but it does insist that the form of government and economic organisation be such that it assure the moral and material well-being of every member in society. The Catholic concept of the common good, as distinct from the nature of the common good conceived by other social theories, is perhaps, best understood if we seek to focus our minds on two questions — at whose good ought common action to aim ? what ought the good to include ?

The first is answered by the Catholic concept of human society as a universal family. The Catholic concept of society cuts across the boundaries of nations ; all men are destined to the same supernatural end, and common action must help the realisation of that end. Liberal Democracy thought it devised a system whereby common action would lead to a common share in social advantages : unfortunately, liberal democracy like liberal economics has functioned for the benefit of the few. The Collectivists' concept of the common good, like that of Fascism, is not "common" enough since it excludes some one minority, such as capital-owners, Socialists, or those seeking religious freedom.

When it is asked what ought the good to include, the answer of Catholic sociology will be in keeping with its concept of man and his destiny. The good will include the moral and material well-being of the individual : hence,

equal opportunities for the development of the moral welfare of man, conditioned by a minimum of temporal well-being. For most Collectivist systems, the "good" would only mean economic wealth, for in the background of their theories man is but a material-complex and wealth his only end. The cult of uniformity in modern dictatorships offers a common good that is not "good" enough, for it excludes that good which is "Choosing one's own good." In Russia the new god of Dialectical Materialism, like most new gods sweeps clean. In literature and in art, no less than in politics and in economics his command is: "Thou shalt have none other gods but me," and a belief in atheism and a working-class parentage is a sine qua non of civic excellence in the Union of Socialist Soviet Republics.

C. C. Clump

□ □ □ □

## *The Impact of the J. O. C.*

It was the impact of hope, of life new-born in a decaying world. It was a reminder of those words: "I am the Resurrection and the Life" It was the breath of God blowing over the moral and physical devastation caused by Industrial Capitalism, and bringing freshness and life. Rightly has the Young Christian Workers Movement (J. O. C.) been defined: the spring of a new world.

Industrialism is one of the few innovations that really deserve the name of revolution. The invention of the machine had everything in it to make men excited at the sight of the riches they could produce, but there was nothing in the machine to create the havoc that has been created and to degrade man to the extent to which he has been degraded. Man and matter both went into the factory and both came

out of it, but by a strange process, man came out degraded while the very matter he handled came out of it ennobled.

That Industrialism has caused so much harm is due to a cause outside itself: Capitalism. The invention of the machine happened at the wrong moment in history when the influence of that Institution which made the West into a society of free human beings was waning under the heavy blows of the Protestantism of the Protestants and of the "Protestantism" of Catholics in high position. And as the influence of the Catholic Church decreased, while the Church struggled with its back against the wall for its very existence, the tide of Capitalism flowed in and submerged vast tracts of Society. Capitalism is a philosophy of life, as old and decrepit as the pagan gods, despising man and holding him in contempt.

It was in this unhealthy atmosphere that Industrialism occurred and was used to grind the masses into an unrecognizable pulp. The cultured and refined masses of the West nourished for centuries by the Blood of Christ were like Him disfigured and like Him mocked.

Furthermore, all hope of redemption was systematically killed in their hearts because dispossessed of their property they were also being systematically dispossessed of their religion. The very same ones that had chained the Catholic Church pointed out to the working class that the Church was doing nothing for them — that it had betrayed them. It was understandable that men living in brutalising conditions should have dropped the *practice* of religion, but had it not been for this lying propaganda, the masses would never have fallen away from religion, that is to say from the Church. But it happened. And it was this vacuum more than anything else that produced the ugly phenomenon known as the *proletariat*: a mass given to drinking and gambling, eaten by hatred and jealousy, blind to the demand of justice but hypersensitive to its own rights, practising the murder of abortion on a fantastic scale, forgetting the holiness of

marriage and moving instead towards the mass prostitution of "free love" and divorce.

And over this field of rotten bones the Spirit of God breathed and a stalk of wheat sprung up and entwined itself around the crosses planted prematurely over that field of the living dead — the proletariat. The voice of God, that can make sons of Abraham from stones, created out of that mess the J. O. C., the Young Christian Workers.

The problem of the Proletariat was too big, too serious and too *promising* to escape attention. Zealous Bishops spoke out, generous aristocrats championed the cause of the workers; calculating politicians fearing Revolution spoke of "certain reforms," Continental Socialism raked up that mass and convulsed it by the prospect of more money for less work, more comfort, more pictures, more beer and skittles and a higher standard of living. The Communists came on the scene with the zeal or crusaders to "free the proletariat of the world," but in their materialistic hurry they overlooked the fact that the Dictatorship of the Proletariat cannot come about without a Dictator of the Proletariat. Moreover, like other parties, they wanted to save the mass from outside, to save it in spite of itself, to save it without itself.

Not so the J. O. C. It went much deeper and sought to save the worker from himself as well as from others. There is a man who looked with sympathetic eyes on that mass. His sympathy sprung not only from the fact that he belonged to it but especially from the simple fact that he believed in it. His name is Joseph Cardijn; his vocation that of a priest of the Catholic Church. There are many more learned than he, but few that are so loved; there are many others more gifted than he but few that have yielded more fruit than he. His chief merit is to have freed from the wrappings of words the simple truth contained in the Catechism of Christian Doctrine, namely that *every man also the working lad, also the Chinese and African coolie, is created in the image of God and destined to share,*



through Jesus Christ, in the divine life *already here on earth*. That he must be respected, that he must respect himself.

But Joseph Cardijn did not only write about that truth, he lived it. He also preached it, but not from the house-tops of Parliaments and international gatherings. He descended to the low level of the mass and told them about it, reminding them of their eternal and temporal destiny: "Not machines, not beasts of burden, or slaves, but the adopted sons of God."

It took some time before his voice could be heard because that mass was too tired, too discouraged and too confused by the conflicting voices of politicians to want to listen to still another voice. But there are cords in the human heart that vibrate at the touch of truth. Gradually the mass took notice and listened. And then it was as if a breath of life had blown over those arid bones that heaved as with a sigh of relief. And they put on tissue and muscles and skin, and they rose to their feet. They did not only walk but march, they did not only speak but sing, and they were found almost everywhere in the world wherever the proletariat had to be saved, from London to Tokyo, from Montreal to Rio de Janeiro, and in the darkest heart of Africa. On their waving flags there was an inscription reading: The Young Christian Workers; and on their lips a name: 'Cardijn'; and in their hearts a living Person: 'Christ,' the worker of Nazareth who once more, touched with pity for the multitude of his fellow workers, was sending them apostles to serve them, to educate them, to represent them and to save them. But this time he was sending not twelve, but many more; this time he was not asking of these apostles that they leave their nets to follow Him, but that they remain with their nets — their machines — in order to save their brethren.

The impact of the J. O. C. was terrific. It was felt from top to bottom, but mostly at the top and at the bottom..

Those charged with the care of the flock, to whom the fate of the working classes was a source of deep sorrow and



who regarded the apostasy of the masses as a scandal and a challenge, saw in the YCW an answer to their prayers.

In 1937, at the great Paris Congress, speaking to the Jocists, Cardinal Verdier cried out: "Never since the time of the crusades has such a tremendous hope and such immense enthusiasm been awakened in Christendom. You, dear children, have sworn to work the miracle which we in our timidity had no longer counted on — you have sworn to win back the world of labour to Christ." And from a position loftier by far than that of the Cardinal Archbishop of Paris, Pope Pius XI did not hesitate to write to Cardijn that the Y. C. W. is "an authentic form of Catholic Action adapted to present needs and that in accordance with the pressing advice of our Holy Mother the Church it devotes itself and all its efforts to the working class so often crushed by the weight of misery and deceived by pernicious error."

There is no doubt that the deep impression made by the J. O. C. upon Pius XI ensured its success and its future. In his estimation it answered his prayers and realized his plan for the salvation of the working classes: — "the first apostles of the workers must be the workers themselves."

But it was at the bottom that the impact was strongest. Called to life from the mass and for the mass, it was there that the J. O. C. worked wonders and transformed many lives. It had set out to save the working class from their unhealthy surroundings and from themselves — and it succeeded. It fired many a young working boy and girl with a spirit of conquest. To save the working classes they were ready for every sacrifice. They have been known to die, and what is more difficult many more learned how to live union with Christ their Leader. They sacrificed their right to marry in order that the working class might rear a family; they abandoned all hope of security to redeem their fellow workers from the insecurity that hangs upon their heads and keeps them bowed down. No one has described this impact of the Y. C. W. on the masses better than Van der Meersch in his novel *Fishers of Men*. What one of his

characters says there can be repeated by many a Y. C. W. lad : "As for me it saved my youth ; it rescued me from vice, temptation and degradation. It taught me the respect due to women ; the duties and joys of real love. It is to the J. O. C. that I owe my married happiness, but above all, my understanding of life and of its very purpose. No longer do I look on life as a result of chance, or as a meaningless experience, or as a brief passage during which you must snatch what pleasure you can : I see it now as a precious gift, a time in which freedom is given us to show the measure of our worth under the lash of misfortune." The life of many which threatened to become one long tale of wretchedness, became instead a dazzling adventure under the J. O. C. Van der Meersch is not exaggerating when he writes : "To us who were outcast, the flotsam of society, it offered a marvellous, new, miraculous destiny : to make Christ's disciples live again in us."

The impact of the Y. C. W. was the impact of Life, the impact of those words, "Come out, Lazarus, to my side" pronounced by Him who said : I am the Resurrection and the Life ; he who believes in me, though he is dead, will live on." And the J. O. C. lives on in the millions of young hearts to whom it has brought life.

S. R. Galea



## *Using Freedom to Destroy Freedom*

*A Note on the Preventive Detention Bill.*

Nothing illustrates better the abnormal nature of the times in which we live and the exceptional conditions in which Government have to maintain order in the country than the passing of the "Amendment to the Preventive De-

tion Bill of 1950," piloted through Parliament with his wonted skill and vigour, by the Minister for Home Affairs, Shri C. Rajagopalachariar. The Bill evoked a great deal of opposition and was subject to sharp criticism. The Debate lasted more than seven days. But the Minister carried the House with him on almost every point and the Bill was passed with hardly any dissentient voice on the 17th of February. The implications of the Bill and the facts which the discussion revealed are matters of importance and readers of *Social Action* will, we think, be pleased to have a note on them.

One of the bitterest accusations made against the British rulers in the days of national awakening was on their use of preventive detention, particularly the arrest of young men suspected of terrorist leanings and their detention for indefinite periods without trial. The subject of detenus and their release was a frequent one in Congress agitation and undoubtedly the apparently high handed manner in which the Government exercised their power increased their unpopularity and hastened the triumph of nationalism. Independent India was pledged to the suppression of such arbitrary exercise of power; during the years of the second world war, the exercise of emergency powers assumed formidable proportions and caused acute discontent. It reinforced the determination of liberal minded nationalist leaders to maintain intact the principles of personal liberty in a free and democratic India.

But alas, at the very time of independence, and in some measure in the very manner of our securing independence, there had risen dangers to public security and to the preservation of the independence won at such sacrifices that compelled the Congress leaders to ask themselves whether they could deal with the situation and fulfil their responsibilities without the exercise of emergency powers as firmly as the British had done, and in particular, without resorting to preventive detention. The dangers came from the rise of subversive activities in India directed no longer against

an alien administration but against a nationalist Government elected by the people. If revolutionary groups conspired to seize power by violence and sabotage, and if they resorted to secrecy and deception in order to secure their ends in ways which made the ordinary process of trial and conviction inadequate to curb such activities, was not the Government justified in using the weapon of preventive detention namely of keeping the person in custody even before the crime was committed? The answer seemed obvious. Hence in the Constitution itself in the chapter on Fundamental Rights where personal liberty is guaranteed, and when it is decreed that no person shall be deprived of liberty except "according to procedure established by law," an important clause was added by which Government was given the power of preventive detention in an emergency. The conditions under which such preventive detention may be resorted to, the limitations to it, and the safeguards given to the detenu against misuse of such power, are carefully enumerated in the various clauses and subclauses of this important Article 22.

The Constitution was promulgated and came into force on the 26th January 1950. Within two months of this date, Sardar Patel, the Home Minister, introduced into Parliament the Preventive Detention Bill, declaring that there was a sufficiently grave emergency in the country to justify the assumption of such power by government; it was clearly understood that the measure was intended to operate primarily against the Communists who for several months had adopted tactics of violence and of most dangerous sabotage in services necessary for the security of the State. The public which was fully aware of the atrocities which had been committed in certain parts of the country, notably in several districts of the Madras Province and of Hyderabad where the tale of murder and arson was steadily rising, accepted the need for the Bill, and Parliament passed it though serious misgivings on the possibility of abusing these powers were expressed by many members. The Act was to be in

force for one year only, namely till the 1st of April 1951. In the meantime there are over 3,000 people under detention and their immediate release is fraught with grave danger for the country; hence this new Bill, which proposes that the old Act with certain important modifications should be in force for another year. A large number of the detenus would have had to be released on the 26th of February under the terms of the old law. It was therefore imperative that the amended Bill should be passed before that date. The Amendment was introduced in Parliament on the 9th February. It contained certain new features which removed minor defects in the older law. It liberalized it in some respects and so made it more conformable to democratic principles; differently from the older law it provided for an examination of the case of every detenu by the Advisory Board of three, and made a decision, by the Board that the detention was not justified obligatory on Government to release the detenu. It provided for release of detenus on parole. It amplified the scope of the Bill and directed it not only against preachers of violence who try to subvert Public Authority — Communists in the first place — but also those who inflame communal passions and provoke communal riots and those who speak against foreign power in a manner that may endanger peace. Undoubtedly this is directed against those organization like the R. S. S. which still incite people to communal violence or whose propaganda may lead to war against Pakistan. Finally the Bill is made to apply against those who interfere with essential services and supplies, and in the present situation of acute food shortage black marketers would come within its purview.

In the course of his speeches on the Bill in Parliament Mr Rajagopalachariar made some strong statements regarding Government's sense of the danger which confronted them and their determination to overcome it. "We ought to take up a bolder stand in all fields. Whether we pass this measure here as it is or as amended, we are not going to fulfil our obligations to this country if we do not take up a bolder

stand with reference to any movement, whatever its political creed might be, which works in secrecy, through violence, through trickery and through exploitation of grievances — not for removing the grievances but for other political purposes.”

Dealing with what is called “Right Wing Violence,” and the activities of communalist Organizations who profess to follow peaceful methods, the Home Minister had some trenchant things to say. Referring to Dr Syama Prasad Mookerjee’s criticism of the Bill, he said, “Dr Mookerjee suggests that the Hindu Mahasabha and similar organizations should be left uncovered by the preventive law as they are not pledged to a creed of violence. As regards violence, it is unfortunate that we cannot always accept statements made by people. The reports I have of some meetings held on January 30th last, and of the slogans uttered there — remember what day January 30th is — do not show that those for whom Dr Mookerjee pleads have given up ideas of violence. .... I have no hesitation in saying that those who continually indulge in inflaming communal passions in this country of ours are as dangerous to Society as those who remove rails from the permanent way and capsize trains.”

Next as regards black marketers. “Jurists may differ as to whether black marketers should be left to be punished severely under the normal law of crime or brought under the terms of the preventive Detention Law. But there is more unanimity in the country in respect of black marketers that severe action of all kinds should be taken against them than on any other matter in issue.”

Criticism of the Bill was made on a variety of grounds. There was first the opposition on principle against any kind of detention without trial except on occasions of grave national emergency in which the constitution itself may have to be suspended. This was the stand of the Calcutta Lawyers’ Memorandum which came for severe castigation from the Home Minister in as much as it suggested that a “docile Parliament” would pass the Bill without realizing its grave

implications. Prof. Shah was perhaps the most outspoken opponent of the Bill on this ground of principle. Others wanted the Bill to be circulated for eliciting of opinion or referred to a select Committee or modified in such a way as to give to the detenus something more in the nature of a trial namely an early statement of the grounds of detention without any item of information being omitted, the right to appear in person or through a lawyer before the Advisory Board, the inclusion in the advisory of High Court Judges, etc. The chief spokesman for all these points of view were Prof. Shubbanlal Saksena, Pandit Kunzru, Thakurdas Bhargava, H. V. Kamath and Mr Frank Antony. The Home Minister had no difficulty in showing the need for immediately proceeding with the Bill and leaving it substantially as it was. All the suggestions to give to the detenu greater facility for representation and argument would deprive the measure of the speediness of action considered essential under the circumstances. Their interests were safeguarded by the compulsory reference of every case to the Advisory Board and the decisive powers given to the Board. The Minister admitted one important amendment by which the Advisory Board was permitted to summon the detenu if they thought that an examination of him was necessary. The Minister denied vigorously any intention on the part of Government to use this Bill at the time of elections to suppress political liberty and the activity of opponents of Government. He pleaded for trust in the tried leaders of the country and the honesty of purpose of the Government. "The Act will never be used in a case where there was no question of sabotage or violence or encouragement or incitement to violence and sabotage. Abuse or misuse of the power granted under the Act would be regarded by the Government as disloyalty to the State, and any officer who misused the power would be regarded as an enemy of the State. A great and difficult measure like this should be executed with all honesty of purpose and character."

Evidence of the gravity of the situation caused by communist violence came from quarters of the House. The pub-



lic are probably not aware of the ruin accumulated in many parts of the country by this bitter "civil war" on a small scale which has ravaged certain districts. The most disturbing statement came from Mr M. C. Reddy of Hyderabad who described the Calcutta Lawyers' manifesto as a typical instance of the technique of the Communists to use innocent non-Communists to fight their battles in the name of liberal principles. As to their actual record, Mr Reddy gave instances of loot, arson, and murder committed by the communists in the Telangana area of Hyderabad and the Andhra Districts of Madras State. He said that a large number of Congress workers had been belaboured and murdered by the Communists. One Communist pamphlet in Kristna District gave instructions regarding the type of tortures to be applied to opponents. His graphic description made most people in the House realise that Government had a powerful case for the resort to emergency powers and the grave step of restraining what is undoubtedly a fundamental right of the individual, in the interest of Society. Mr Rajagopalachariar stated this with his usual vigour and clarity :

"We could take the risks involved in letting criminally inclined persons to go on with their previous preparations in the case of crimes against individuals, on the principle that it is better to let 99 persons plot and prepare than take the right to repent from even one person. But where the security of the Union or of any of the States of the Union or the safety of the public or any other vital matter such as essential supplies is involved, we cannot afford danger to grow in secret preparation and organized plots. We must nip the thing in the bud.

The Liberty of the individual is always conditioned by the security and interests of the State. So it is that when the security of the State is affected, and when public order is endangered it is now an established principle of Government everywhere that we should tackle crime even at the stage of plots and plans."

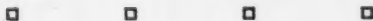
These last words of the Home Minister must make even those who support the Bill pause and reflect. Understood



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rightly, they need not of course cause any concern. But the absolute manner in which the principle has been enunciated by the Minister shows the real danger which, under abnormal conditions of social revolution threatens all personal liberty. We are here very far from the ideals of Victorian liberalism which inspired the first founders of the Congress and which formed the background for the entire structure of our constitutional edifice. We need not regret the eclipse of that liberalism both in politics and economics. But the social evolution which has brought about that eclipse may easily err on the side of authoritarianism if not open totalitarianism. Hence, it was right for Parliament to challenge the Bill in detail and on principle, and to agree to its passing only on full evidence of a serious emergency, and with safeguards which pay homage to the fundamentals of democracy.

J. D'Souza.



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## BOOK NOTES & REVIEWS

THE OPEN ROAD TO FREEDOM by Lionel Curtis.

Basil Blackwell, Oxford, 1950. 78 p. sh. 3/6.

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Federation versus Confederation in Europe. Which of the two is more likely to end war? Lionel Curtis argues strongly for the former. And he cites the example of the U. S. A. and the British Dominions to prove his point. But he is also aware of the difficulties that obstruct the 'open road' to Federation. These are sovereignty, migration, tariffs. But these hurdles can be cleared, so thinks the author.

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While the book contains brilliant flashes on modern political problems, the historical analysis of the Christian tradition from which stem the ideals that have shaped modern European civilisation is deplorably vague and prejudiced.

Prof. Jacob points this out clearly in his Notes that are included in the Appendix to the Book.

War and the fear of war will not end with the defeat of the Russians. The remedy we need is far more radical. The mere concentration of physical force in a supra-national authority will do little to guarantee international security. The seeds of discontent will begin to sprout again, unless  
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the so-called sovereign nations and their nationals are determined to root out the causes of war. This can only be done by recognition of the rights of every human individual and opportunity to exercise such rights. Sovereignty, even though expressive of the will of the people, must bow before the claims of Natural Law and the Jus Gentium. It is only in such an atmosphere of justice and obligation binding in conscience that a Confederation or even a Federation will be possible of achievement.

A. Fonseca sj.

### NOTICE

With this issue begins the publication of our flysheet Supplements which will be published each month and which are intended to help members of Study Clubs.

Reprints of the Supplements will be available from *The Manager 'Social Action,' St Vincent street, Poona 1*, at the rate of As 8/ per ten copies.

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## INDIAN INSTITUTE OF SOCIAL ORDER

### AIMS AND OBJECTS

- (1) To spread the social teachings of the Catholic Church.
- (2) To provide theoretical and practical training for social workers.
- (3) To serve as a centre of information about Catholic social works.

### PERSONNEL

The I. I. S. O. was started at Poona on January 6, 1951 and is at present staffed by the following members of the Society of Jesus :

Rev. J. D'Souza, Director,

Rev. C. C. Clump, A. Fonseca, A. Lallemand,

A. Nevett.

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